



VIRTUAL PUBLIC HEARING PRESENTATION SCRIPT
STATE HIGHWAY 5 (SH 5) IMPROVEMENTS PROJECT

FROM: SOUTH OF FM 1378
TO: SOUTH OF CR 275

CSJs: 0047-05-054, 0364-04-049 & 0047-09-034

Collin County, Texas

June 11, 2020; 5:00 PM

Texas Department of Transportation – Dallas District

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.

SLIDE 1 – Title Slide

Welcome to the virtual public hearing for the State Highway 5 Improvements Project from south of FM 1378 to south of CR 275 presented by the Texas Department of Transportation Dallas District. Given the unique circumstances of the COVID-19 outbreak, along with our commitment to protecting public health, TxDOT is conducting this virtual public hearing to avoid in-person contact. At this time the virtual format will be in lieu of an in-person public hearing. This pre-recorded presentation will cover the same information the Dallas District would have shared at the in-person public hearing; however, the comment process will be different. Details on how to submit a comment and have your questions addressed will be covered later on in this presentation. All project information can be found on the Keep It Moving Dallas website at www.keepitmovingdallas.com/SH5.

This presentation can be paused at any point to allow you more time to review the slides.

SLIDE 2 – Public Hearing Purpose

This virtual hearing has been convened by TxDOT and is being held to receive and consider comments from the public regarding the SH 5 Improvements Project from south of FM 1378 to south of CR 275.

Many of you may have attended previous public hearings conducted by TxDOT. However, for the benefit of those of you who have never attended one, I would like to explain how and why the department conducts a public hearing.

A public hearing has four essential purposes:

- Inform the public of the status of planning on the project and present the recommendations based on studies performed to date.
- Describe the project so those attending can determine the project's potential to affect their lives and property.
- Provide the public an opportunity to see information and express their views at a stage in the planning process when flexibility to respond to comments still exists and before location and design decisions are finalized.

- And finally, to develop a record of public views and participation to accompany recommendations for subsequent decisions.

This virtual public hearing is being held in compliance with both federal and state laws. For the official record, a transcript of this hearing will be made.

SLIDE 3 – How to Submit Public Comments

Following this hearing, TxDOT will proceed with the preparation of the final environmental documentation. Your statements and comments will be addressed in this documentation and will be given full consideration in the preparation of the final recommendation and design for the SH 5 Improvements Project.

Comments will be accepted in a number of ways. Written comments can be emailed to TxDOT Project Manager Nazrul Chowdhury at Nazrul.Chowdhury@txdot.gov or mailed to Nazrul Chowdhury, P. E. at the TxDOT Dallas District Office, 4777 East Highway 80 in Mesquite, Texas 75150. Comments will also be accepted using an online comment form available on the project website. Verbal comments can be provided by leaving a message via voicemail at (214) 449-0003.

Comments must be received or postmarked within fifteen days of the hearing date, which is June 26, 2020, to be part of the official public hearing record.

SLIDE 4 – Viewing Design Schematic and Environmental Documentation

The next slides will cover the design aspects of the SH 5 Improvements Project. The design schematic and environmental documentation for the SH 5 Improvements Project may be viewed online at www.keepitmovingdallas.com/SH5 or at www.txdot.gov by searching “Public Meetings and Hearings”. The information on these websites is the same information being presented in this video.

SLIDE 5 – Project Location, Need and Purpose

A public meeting for this project was held in November of 2018. At that time the northern project limit was south of Melissa Road. Since then, the project limits have been reduced and

the portion shown in blue on the map is no longer part of the proposed project, but may be part of a future project. The new northern project limit is south of CR 275. The project limits in red on the map show the current project that will be discussed in this public hearing presentation.

The SH 5 proposed improvements would consist of the reconstruction and widening of approximately 7.2 miles of SH 5 from south of FM 1378 to south of CR 275 within the City of McKinney and Town of Fairview in Collin County, Texas. Project improvements would include reconstruction of the SH 5/State Spur 399 intersection and the addition of bicycle and pedestrian facilities.

The proposed project along SH 5 is needed because the current highway is inadequate to meet future traffic volumes, the facility does not meet current design and safety standards due to the at-grade crossing at State Spur 399, the lack of continuous sidewalks and bike facilities, the lack of raised medians, and an increase in crashes within the project limits. The purpose of the proposed project along SH 5 is to improve safety and mobility, and update the roadway to current design and safety standards.

SLIDE 6 – Existing Highway

The existing highway configuration varies along the route. South of FM 1378 to State Spur 399 and Powerhouse Street to south of County Road 275 consists of a two-lane rural roadway with one lane in each direction, shoulders, and no median; State Spur 399 to McMakin Street and US 380 to Powerhouse Street are four-lane rural to urban transition sections with two lanes in each direction, a median, and shoulders; and McMakin Street to US 380 is a four-lane urban section with two lanes in each direction and a continuous center turn lane, and narrow shoulders.

Sidewalks along SH 5 are fragmented and there are no marked bike facilities or pedestrian trails existing along the corridor. The existing right-of-way width varies by segment, but is between 100 and 250 feet.

SLIDE 7 – Proposed Highway

The proposed highway from south of FM 1378 to State Spur 399 and from North Tennessee

Street to south of County Road 275 would consist of 4-lane urban sections with two lanes in each direction, a raised median, and sidewalks; State Spur 399 to El Dorado Boulevard would consist of a six-lane urban section with three lanes in each direction, a raised median, and sidewalks; and El Dorado Boulevard to North Tennessee Street would consist of a four-lane urban section with two lanes in each direction, a variable-width median, and sidewalks.

The proposed project would also reconfigure the State Spur 399/SH 5 interchange near the southern project limits to include a flyover bridge from State Spur 399 south to SH 5 south. Side streets within the project limits would be reconstructed to tie into the improved SH 5 generally within the existing right of way.

SLIDE 8 – Utility Adjustments

Utilities such as water lines, sewer lines, gas lines, telephone cables, electrical lines, and other underground and overhead utilities may need to be adjusted to accommodate the proposed improvements. The adjustment and relocation of any utilities would be managed so that no substantial service interruptions would occur while these adjustments are being made. Utility relocations are expected to take approximately 18 months.

SLIDE 9 – Projected Cost & Schedule

The proposed project is anticipated to let for construction in the summer of 2023 and would take approximately three years to construct. Letting is when TxDOT notifies the construction community that a project is ready to be bid on. Construction on a project begins after the letting process is complete. The estimated total cost for the project is approximately \$138 million dollars and the project is partially funded.

This concludes the project information and design portion of the presentation. The next few slides will provide an overview of the environmental evaluation for the proposed SH 5 Improvements Project.

SLIDE 10 – Review and Approval of Environmental Document

Prior to December 16, 2014, the Federal Highway Administration, or FHWA, reviewed and approved documents prepared under the National Environmental Policy Act, known as NEPA;

however, on December 16, 2014 the Texas Department of Transportation assumed responsibility from FHWA to review and approve certain assigned NEPA environmental documents. This Memorandum of Understanding was renewed on December 9, 2019. The review and approval process applies to this project.

Environmental studies have been performed for the proposed SH 5 Improvements Project to support a Categorical Exclusion determination by TxDOT in accordance with NEPA. The environmental analyses are necessary to identify, avoid, and minimize effects to the human and natural environments.

Notices for this public hearing were advertised in the *Dallas Morning News*, *Al Dia*, and the *McKinney Courier-Gazette*, and on keepitmovingdallas.com under “Public Hearing and Meetings”. The TxDOT Public Information Office also prepared a news media release to advertise the public hearing. The environmental technical reports are available on the project website.

SLIDE 11 – Environmental Review / Impacts Addressed

The technical documentation for this project addressed the potential environmental impacts identified during the schematic phase of the proposed project. These areas of potential impacts included natural, social, and cultural resources as well as potential impacts to adjacent and surrounding land use. The environmental reports were approved by TxDOT and have been coordinated with other public agencies.

This slide shows a list of all resources that were evaluated during the environmental phase of the project. The following slides include a summary of the more notable findings.

SLIDE 12 Environmental Review – Right of Way/Displacements

The proposed project would require approximately 28 acres of additional right of way to accommodate the proposed improvements. The proposed project would potentially result in four commercial displacements. No public facilities such as parks, recreational facilities, churches, schools, or cemeteries, would be displaced as a result of the proposed project. TxDOT would be responsible for all right of way acquisition for the proposed project. All right of way acquisition would be completed in accordance with the

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Information about the TxDOT Relocation Assistance Program and services and benefits for displacees and other affected property owners, as well as information about the tentative schedule for right-of-way acquisition and construction, can be obtained from the TxDOT Dallas District Office by calling (214) 320-6100 or visiting the project website. Brochures, including two booklets titled "The Purchase of Right of Way," and "Relocation Assistance," are also available for you on the project website. These booklets contain detailed information to inform you of your rights and provide information about TxDOT right of way acquisition procedures.

SLIDE 13 Environmental Review – Waters of U.S., including Wetlands

The proposed improvements would result in permanent Section 404 impacts to eight jurisdictional waters of the US crossings within the project area, totaling approximately one acre. Permanent Section 404 impacts would also be anticipated at one potential wetland area identified adjacent to the Wilson Creek crossing within the project area, totaling 0.2 acres. These impacts would be authorized by the US Army Corps of Engineers under a Section 404 Nationwide Permit 14, or NWP 14, for Linear Transportation Projects. A pre-construction notification, or PCN, and compensatory mitigation would be required for the Section 404 impacts at three of the identified stream crossings and the potential wetland area.

SLIDE 14 Environmental Review – Floodplains

Portions of the project are within the 100-year floodplain at Wilson Creek and an unnamed Tributary to Wilson Creek, the East Fork Trinity River, and two unnamed Tributaries to the East Fork Trinity River. The hydraulic design for the proposed project would be in accordance with current FHWA, TxDOT, and local design policies, laws, regulations, and standards.

SLIDE 15 Environmental Review – Historic Resources

Section 4(f) (49 U.S. Code 303) of the United States Department of Transportation Act of 1966, as amended, provides for the protection of certain lands affected by transportation

projects. Section 4(f) provides that the Secretary of Transportation may not approve any program or project which requires the use of land from a publicly-owned park, recreational area, or wildlife and waterfowl refuge of national, state, or local significance as determined by the official having jurisdiction thereof or any significant historic site, unless there is no feasible and prudent alternative to the use of such land and the proposed action includes all possible planning to minimize harm.

The proposed project would result in the acquisition of right of way from three Section 4(f) properties. Approximately .0014 acres would be taken from a property at the northwest corner of Anthony Street at SH 5 containing both the Joseph Field Dulaney House and the Faires-Bell House, both currently listed on the National Register of Historic Places or NRHP. The right of way would be limited to sidewalk, curb, and grass edging, which were not noted as contributing features of the resources in the NRHP documentation.

Approximately .0003 acres of right of way would be also be taken from a property at the southwest corner of Anthony Street and SH 5 containing a commercial building listed as contributing to the McKinney Commercial Historic District. The right of way would impact brick sidewalk, curbing, and asphalt. However, this resource is recommended as no longer contributing to the historic district due to changes to its design, materials, workmanship, and feeling. The brick sidewalk, curbing, and asphalt are not noted as contributing features to the historic district.

Approximately .0026 acres of right of way would also be taken from a property at the northwest corner of East Louisiana Street and SH 5 containing a commercial building listed as contributing to the McKinney Commercial Historic District. The right of way would impact brick sidewalk, curbing, and asphalt. However, this resource is recommended as no longer contributing to the historic district due to changes to its design, materials, workmanship, and feeling. The brick sidewalk, curbing, and asphalt are not noted as contributing features to the historic district.

Based on the above, the proposed right of way takes would not result in direct effect to historic properties in the project area and the project is recommended as having no adverse effect on historic properties under Section 106. Section 106 of the National Historic

Preservation Act identifies significant historic sites and helps determine the impacts a given project will have on them.

Since the proposed project activities would require right of way from the parcels occupied by NRHP-listed historic properties, such a taking constitutes a transportation use of a historic property under Section 4(f) and would require a Section 4(f) analysis. However, as the project is recommended to have no adverse effect on historic properties under Section 106, and the percentage of land required is less than one percent of the parcel total acreage (approximately .5 acres for the smaller parcel), TxDOT is considering a Section 4(f) *De Minimis* determination for impacts to the historic properties.

SLIDE 16 Environmental Review – Hazardous Materials

A hazardous materials initial site assessment, or ISA, was completed for the proposed project. The components of the ISA included reviewing project design and right of way requirements, reviewing existing and previous land use, reviewing federal and state regulatory databases and files, and conducting project site visits. One site was determined to be a high environmental risk to the project and four sites were determined to be moderate environmental risks to the project. The regulatory sites are associated with existing and former automotive gasoline/service stations and industrial and manufacturing properties, among others. Right of way acquisition from four of the five sites is anticipated, and the presence of petroleum storage tanks, groundwater contamination cases, corrective action facilities, and industrial and hazardous waste adjacent to the proposed project represent a potential concern for encountering contamination during the construction phase of the project.

Special provisions or contingency language would be included in the project's construction plans to handle hazardous materials and/or petroleum contamination according to applicable federal and state regulations. Any unanticipated hazardous materials encountered during construction would be handled according to applicable federal, state, and local regulations per TxDOT Standard Specifications. Early regulatory agency coordination would also be initiated during project development.

SLIDE 17 Environmental Review – Traffic Noise

A Traffic Noise Analysis was performed in accordance with TxDOT's (and FHWA

approved) Guidelines for Analysis and Abatement of Roadway Traffic Noise (2011). Based on the analysis, the proposed project would result in traffic noise impacts to multiple receivers adjacent to SH 5. Mitigation was analyzed for all impacted receivers and two noise barriers are proposed. A noise workshop will be conducted to allow an opportunity for the property owners and residents adjacent to the proposed walls to vote on their construction.

SLIDE 18 Environmental Review – Conclusion

In conclusion, the studies, analyses, and evaluations performed thus far indicate the proposed project would cause no significant environmental impacts.

SLIDE 19 – Next Steps and Timeline

Following this hearing, documentation of this public hearing will be reviewed by TxDOT for final environmental clearance. If there are no major issues arising from this hearing that cannot be addressed in a reasonable time frame, final environmental clearance is expected by July 2020.

As mentioned earlier, construction is anticipated to begin in 2023. The roadway is expected to open to traffic in approximately 2026.

This concludes the environmental evaluation portion of the presentation.

SLIDE 20 – Public Comments

All comments and questions will be fully considered and responded to in the project record and made part of the final environmental document for this proposed project. This document will then be made available for public review at www.keepitmovingdallas.com/SH5.

As a reminder, there are several methods available for you to leave a public comment. All forms of comments must be received or postmarked on or before Friday, June 26, 2020 to be included in the public hearing summary. Comments and questions can be emailed or mailed to the TxDOT Project Manager Nazrul Chowdhury. The email address and mailing address are listed on the screen. Verbal comments can be provided by leaving a message via voice mail at (214) 449-0003. Please include your name and address in your message. You may

also leave a comment by clicking the link on the project website.

SLIDE 21 – “Thank You for your Interest”

We sincerely appreciate your interest concerning the proposed design of the SH 5 Improvements Project from south of FM 1378 to south of CR 275. Your questions, comments and concerns will receive careful consideration.

Thank you very much. This concludes the presentation.